

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

8:16CR308

VS.

ROEL LEMUS GARCIA and DIANA GUZMAN

Defendant.

ORDER

This matter is before the court on the defendant's unopposed Motion to Continue Trial [76]. Counsel is seeking additional time to receive and review the final evaluation report of the defendant's psychiatric evaluation. For good cause shown,

IT IS ORDERED that the defendant's unopposed Motion to Continue Trial [76] is granted as follows:

1. The jury trial, **as to both defendants**, now set for May 1, 2018, is continued to **June 12, 2018**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 12, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 26th day of April, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge